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W.P.Crl.No.1276 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.11.2025

CORAM

THE HONOURABLE **MR. JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR. JUSTICE M.JOTHIRAMAN**

W.P.Crl.No.1276 of 2025

&

W.P.M.P.Crl.613 of 2025

S.Kalavathi

... Petitioner

Versus

1. The Deputy Inspector General of Prisons
Coimbatore Range, Coimbatore Prisons Campus
Coimbatore – 641 018

2. The Superintendent of Prison
Central Prison, Salem – 636 007

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus, to call for the records No.1062Mu U/2025 dated 31.10.2025 on the respondent No.1 and quash the same and consequently direct the respondents to grant 28 ordinary leave to the petitioner's son namely Mr.Sivakumar, S/o.Sathish, aged 30 years, PID No.37760, convict prisoner, now confined in the Central Prison, Salem.



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For Petitioner : Mr.P.Pugalenth
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition has been filed challenging the impugned order dated 03.01.2025 of the first respondent, rejecting the representation of the petitioner dated 26.08.2025, seeking ordinary leave for the convict prisoner Sivakumar, S/o.Sathish (PID No.37760) on the ground that the petitioner has already suffered punishment for prison offence, therefore, he is entitled to ordinary leave.

2. The learned counsel for the petitioner submitted that the petitioner has already been punished for the alleged prison offence of bringing one ear stud, while returning to the prison. The ear stud was removed even before entering into the prison, for that purpose, he has sustained punishment from getting his privilege.



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3. The learned Additional Public Prosecutor submitted that since the petitioner's conduct was not good as per Rule 21(k) of Tamil Nadu Suspension of Sentence Rules, 1982, hence, his representation was rejected.

4. Heard both sides and perused the materials placed on record.

5. It is the admitted case that the petitioner while availing previous leave and returning the prison stated to have worn the ear stud which has been removed even before entering into the prison, thereafter, he was also imposed with some punishment for such conduct by cutting out his privilege, therefore, once again, the same cannot be used against the accused to prevent the leave that is otherwise provided in the Rules. Such view of the matter, the petitioner is entitled to 28 days leave without escort and we are inclined to grant 28 days ordinary leave to the convict prisoner without escort.

6. In such view of the matter, the impugned order dated 03.01.2025 is quashed and the convict prisoner **Sivakumar, S/o.Sathish, PID No.37760** is



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granted 28 days ordinary leave **from 13.11.2025 to 11.12.2025** with a condition that the life convict shall report before the jurisdictional police i.e., Papparapatti Police Station, Krishnagiri District daily at 10.30 a.m. After expiry of the ordinary leave, the life convict shall surrender before the on **11.12.2025 at 05.30pm**. The life convict shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

7. With the above direction, this writ petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
11.11.2025

Index: Yes/No

Neutral Citation: Yes/No

dhk

Note: Issue order copy 12.11.2025

To

1. The Deputy Inspector General of Prisons
Coimbatore Range, Coimbatore Prisons Campus
Coimbatore – 641 018

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2. The Superintendent of Prison
Central Prison, Salem – 636 007

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3. The Inspector of Police
Papparapatti Police Station, Krishnagiri District

4. The Public Prosecutor
High Court, Madras.



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